

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

BRIAN HUDDLESTON,

Plaintiff,

vs.

**FEDERAL BUREAU OF
INVESTIGATION and UNITED STATES
DEPARTMENT OF JUSTICE**

Defendant

Case No. 4:20-cv-447-ALM

**PLAINTIFF’S REPLY IN SUPPORT OF
MOTION FOR PARTIAL SUMMARY JUDGMENT**

NOW COMES Brian Huddleston, the Plaintiff, replying in support of Plaintiff’s Motion for Partial Summary Judgment (“Motion”)(Dkt. #206):

The FBI answered two important questions in Defendant Federal Bureau of Investigation’s Response in Opposition to Plaintiff’s Motion for Partial Summary Judgment (Dkt. #209) and the supporting Second Declaration of Shannon R. Hammer (Dkt. #209-1). The FBI confirmed (1) that its internal “Prohibited Access” designation would not have prevented the FBI’s FOIA clerks from locating responsive records and (2) that it is now searching for responsive records in an evidence room that previously was disclosed by FBI Deputy Director Dan Bongino. The Plaintiff welcomes these disclosures, although he must wonder why it was necessary to file a motion for partial summary judgment to get definitive answers to his questions. In any event, the Motion is not yet moot because the FBI has not explained how many records are being searched nor how long it reasonably needs to process and produce those records. For that reason, and in the absence of any evidence that the task would be unusually

time-consuming, the Plaintiff moves the Court to order the FBI to produce responsive records or a *Vaughn* index not later than October 15, 2025.

Respectfully submitted,

/s/ Ty Clevenger

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Certificate of Service

On August 23, 2025, I filed a copy of this response with the Court's ECF system, which should result in automatic notification via email to Asst. U.S. Attorney James Gillingham, Counsel for the Defendants, at james.gillingham@usdoj.gov.

/s/ Ty Clevenger

Ty Clevenger